

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Jessie Jermaine Hammond

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

see attached

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

Case No. 2:20-cv-04048-BHH-MGB

(to be filled in by the Clerk's Office)

Jury Trial: ☐ Yes ☐ No
(check one)

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The Defendants

Alyssa K. Peters
Constangy Brooks Smith & Prophete LLP
577 Mulberry St.
Suite 710
Macon, G.A. 31201

Sara Rafai
Human Resources
Concrete Pipe & Precast

Sara Myers
Human Resources
Edison Holdings, LLC

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Jessie Jermaine Hammond</u>
Street Address	<u>418 Clarine dr.</u>
City and County	<u>Goose Creek</u>
State and Zip Code	<u>South Carolina 29445</u>
Telephone Number	<u>(843) 433-6358</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	<u>Alyssa K. Peters</u>
Job or Title (if known)	<u>Constangy Brooks & Prophete LLP</u>
Street Address	<u>577 Mulberry St. suite 710</u>
City and County	<u>Macon</u>
State and Zip Code	<u>G.A. 31201</u>
Telephone Number	<u></u>

Defendant No. 2

Name	<u>Sara Rafal H.R.</u>
Job or Title (if known)	<u>Concrete Pipe & Precast</u>
Street Address	<u>1094 Old Dairy Road</u>
City and County	<u>Summerville</u>
State and Zip Code	<u>S.C. 29483</u>
Telephone Number	<u></u>

Defendant No. 3

Name	<u>Sara Myers H.R.</u>
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Job or Title (if known) Edison Holdings, LLC
 Street Address 1505 Remount Road Suite A
 City and County North Charleston
 State and Zip Code S.C. 29406
 Telephone Number _____
 Defendant No. 4
 Name _____
 Job or Title (if known) _____
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title VII Civil Rights Act of 1964
prohibits employers from discriminating
against individuals because of their
religion (or lack of religious belief) in
hiring, firing, or any other terms and
conditions of employment.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Jessie Hammond, is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) Concrete Pipe & Precast, is incorporated under the laws of the State of (name) S.C., and has its principal place of business in the State of (name) S.C.. Or is incorporated under the laws of (foreign nation) N.A., and has its principal place of business in (name) N.A..

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.) See attached

defendant 2. Sara Myers

(name) Edison Holdings, LLC
laws of: S.C.

place of business in: S.C.

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (*explain*):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

see attached

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

\$44000 from working 50 hrs a week
at \$13.00 hr. from June 2019 until current.
Plus punitive damages like depression
from not working. Distress, lost of
any income. Plus wrongful termination.

(843) 433-6358

I can't pay the
\$500.00 court fee
to file in Fed. court

As salamu alaikum,
my name is Jessie Hammond
(Jibril Abdul Aziz).

I started working for
this concrete company in June
2019 through Alternative Staffing.
When I did the application at
the staffing company I put
on the app for the concrete
job Fridays off.

I started working and
after the first week went by,
I requested to have 3 hours
on Fridays, if not the whole day
to attend my religious service.
My supervisor John Sonson
told me to ask Dan, the yard
Supervisor. So Dan, Jim and John
was in the room when they said
I was denied to attend on
Fridays. I then said O.K. and
went back to work. It was
a Friday so I took my lunch and
got food from the gas station

2.

and ate in the parking lot of the job. I finished work Friday and got my time sheet from the office, I have it with all the paperwork I sent you.

I also got a job application because Son Son liked my work and told me to go get an application because he was going to get me a job there. He's the lead man John Son Son. He was also upset when they fired me that Monday.

So I left work Friday and when I came to work Monday, when the day was over John the boss over Son Son told me they are not going to need me anymore. I said OK and I said do you know why, he said because Dan found out that I went to the service on that Friday on my lunch break.

3.

I said ok and as I left I saw Son Son and told him what happened and he got upset. I left and on my way home I called the staffing company and spoke with Sara Myers.

I explained to Sara what they said and before I could get it all out Sara said "They said you went to the service and they told you not to. I told her I didn't go and that I had my time card to prove it. The job was in Jeddah S.C. and the Mosque is in Morlocks Corner S.C. I clocked out for 59 minutes and wouldn't be able to travel that far in that time. She said not to worry about it and sent me on another job that lasted only a week.

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I called the law firm Wigger Law Firm. They went over the details and Jacob or Jake took me as a client and I signed the papers.

Later, I signed papers so that the E.O.C. could investigate with Jacob again. The E.O.C. investigated from around December 2019 until August 20, 2020.

I got a phone call from Tiffany at Wigger Law Firm. She said that she was taking over the case and I found out later that Jacob was no longer with the firm. I didn't find out why. Tiffany later informed me that the E.O.C. was done with the investigation and that they would let me know if we were taking it to Federal court. Tiffany called me twice and said that they were closing the case. This was in September she called the

5.

First time, then in October she called and said that they were closing the case. It took them 60 days after the E.O.C. finished their investigation to tell me they were closing my case. I only had 30 days left to find another lawyer and file the case in federal court. I felt this was unfair and Wigger Law Firm didn't have my best interest. Jacob my first lawyer was no longer with them and I got switched to Tiffany. Tiffany said it would be \$500.00 to file in court and that I wouldn't get much more. So, this is why I have little time to file. Tiffany said it was something I said over the phone that made her close the case, but I didn't even talk to her much in those 60 days. I have until around November 20th 2020. Thank you Salam

Jessie J. Hammond
Jibril Abdul Aziz

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11-18, 2020

Signature of Plaintiff

Printed Name of Plaintiff

Jessie J. Hammond
Jessie J. Hammond

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

